

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO**

**UNITED STATES OF AMERICA, *ex rel.*,  
STEVEN F. COLLIER,**

**PLAINTIFF,**

**V.**

**FLUOR CORPORATION**  
**d/b/a FLUOR FERNALD, INC.,**

**DEFENDANT.**

**CASE NO. 1:00cv-825**  
**(Judge Beckwith)**  
**(Magistrate-Judge Hogan)**

**MOTION FOR ADDITIONAL  
TIME FOR SUBMISSION  
OF MOTION FOR LEAVE TO  
FILE AMENDED COMPLAINT**

Pursuant to Rule 7, Federal Rules of Civil Procedure, Plaintiff/Relator respectfully requests that this Court delay the deadline set forth in its Order of August 9, 2004 that Plaintiff/Relator file on or before August 27, 2004 its Motion for Leave to File a Second Amended Complaint, with attached proposed Complaint. The basis for this Motion is set forth in the attached Memorandum of Support.

Respectfully submitted,

/s/ Phyllis E. Brown

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**MEMORANDUM IN SUPPORT**

On August 9, 2004, this Court issued a Memorandum and Order holding in abeyance its decision on Defendant's Motion to Dismiss with respect to Plaintiff/Relator's claims under 31 U.S.C. §3729(a)(1) and (2), and allowing Relator to file a Motion for Leave to File a Second Amended Complaint, with attached proposed complaint on or before August 27, 2004. Relator Collier and Defendant Fluor Fernald have reached a settlement of this matter, and have submitted a settlement agreement to the Department of Justice ("DOJ") for approval. DOJ mandated certain provisions be included in the settlement. The parties have complied with DOJ's mandate and the Settlement Agreement is now in the final approval process at DOJ.

Based upon this imminent settlement, Plaintiff/Relator Collier respectfully requests that the Court allow him until September 30, 2004 for submission of his Motion for Leave to File a Second Amended Complaint, with attached proposed Complaint. Counsel for Defendant Fluor Fernald does not oppose Plaintiff/Relator's motion.

Respectfully submitted,

OF COUNSEL

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CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2004, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system *which will send notification of such filing to the following*; and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

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